

1 Michael H. Meyer, Esq. #82336  
Chapter 12 Trustee  
2 7550 N Palm Suite 204  
Fresno, CA 93711  
3 Tel (559) 336-4629  
Fax (559) 272-6171  
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5 **UNITED STATES BANKRUPTCY COURT**  
6 **EASTERN DISTRICT OF CALIFORNIA**

7 IN RE:

CASE NO. 17-12998-B-12

8 DC NO.: MHM-1

9 LJB FARMS, LLC

CHAPTER 12 PROCEEDING

10 Debtors

11 DECLARATION IN SUPPORT OF MOTION  
TO DISMISS PURSUANT TO  
11 U.S.C. § 1208

12 DATE: November 29, 2018

13 TIME: 9:30 a.m.

14 PLACE: U.S. Courthouse  
5th Floor, Dept B, Courtroom 13  
2500 Tulare Street  
Fresno, Ca 93721

15 JUDGE: Hon. Rene Lastreto II  
16

17 I, Michael H. Meyer, Chapter 12 Standing Trustee, declare as follows:  
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19 1. If called as a witness in this matter, I would testify from personal knowledge to the  
20 following.

21 2. This motion is sought on grounds of unreasonable delay and material default by the debtor  
with respect to the terms of a confirmed plan.

22 3. The debtors plan was confirmed on December 16, 2017 (Docket #136)

23 4. Exhibit "B" to the Order Confirming Chapter 12 Plan provided for the payments to be made  
24 by the debtor to fund the Chapter 12 Plan.

25 5. The October 2018 payment was to be made in the amount of \$152,023.26.

26 6. The payments to creditors pursuant to the plan were to be paid on the 1<sup>st</sup> day of each month  
27 beginning January 2018. (Pg. 18 Line 15 Docket# 136)

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1           7. As of the date of this declaration, the debtor has not paid the October 2018 payment in the  
2 sum of \$152,023.26.

3           I declare under penalty of perjury that the foregoing is true and correct and that I executed this  
4 declaration on October 24, 2018 at Fresno, California.

5                               /s/ Michael H. Meyer

6                               Michael H Meyer  
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